

Default Timelines

Once a complaint is deemed properly served, the court obtains jurisdiction over the case. The court obtains jurisdiction at different times depending on the type of service that was effected.

Type of Service	Date of Jurisdiction
Personal service	Date of delivery
Substituted service w/ mailing	10th day after mailing
Posting and mailing	10th day after mailing

Once the court obtains jurisdiction over the case, the defendant then has 5 days to file an answer. A default may not be entered until the 5 days have passed. Use the following table to determine when a default may be entered.

Type of Service	When Default May Be Entered
Personal	6th day after date of service
Substituted	16th day after date of mailing
Posting and mailing	16th day after date of mailing

Other factors to consider when counting these days are:

Do weekends count?	Yes, weekends are included in the counting of the 5 days to file an answer. If the last (5th) day to file the answer falls on a Saturday or Sunday, the response period shall then be the next business day.
Do judicial holidays count?	No. All judicial holidays are excluded and should not be included in determining the 5 days.